

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Royal Lee Gibson,)	C/A No. 0:10-1988-CMC-PJG
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Commissioner of the Social Security Administration,)	
)	
Defendant.)	
)	

This social security action is before this court pursuant to 42 U.S.C § 405(g) for review of a final decision of the Commissioner of the Social Security Administration (“Commissioner”). The plaintiff initiated this action and filed his Complaint on July 30, 2010. (ECF No. 1.) The Commissioner filed an answer along with a transcript of record on December 6, 2010. (ECF No. 10.)

The Local Rules of this District state that, after the filing of an answer, a plaintiff has thirty (30) days in which to file a written brief. Local Civil Rule 83.VII.04 DSC. The plaintiff's brief was due on or before January 10, 2011. On January 13, 2011 the plaintiff was granted additional time in which to file a brief until February 9, 2011. (ECF No. 12.) A second extension of time was granted on February 9, 2011, extending plaintiff's time until February 24, 2011. (ECF No. 15.) As of this date, the plaintiff has not filed a brief and has presented no argument as to why the decision by the Commissioner is not supported by substantial evidence. It therefore appears that the plaintiff does not wish to continue to prosecute this action. Accordingly,

PJG

IT IS ORDERED that the plaintiff shall have **fourteen (14) days** from the date of this order in which to file a brief. **Failure to do so may result in a recommendation that this case be dismissed for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.


Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

March 1, 2011
Columbia, South Carolina